

REMARKS

Claims 27, 30-53 and 55-58 are pending in the present application.

Claims 27, 30, 34, 35, 37, 38-40 and 57 are amended.

Claims 1-26, 28-29 and 54 are cancelled.

Reconsideration on the merits is respectfully requested.

ELECTION/RESTRICTION

The application is subjected to an election of species.

Applicants acknowledge election of Species I, relating to formula (0). Claims 47-52 are withdrawn as being drawn to a non-elected species.

Upon allowance of a generic or linking claim Applicants respectfully request reconsideration of claims 47-52.

CLAIM OBJECTIONS

The specification is objected to for failing to provide antecedent support for the claimed subject matter. In particular the Office does not find support for isomers of hexamethyltetracosane.

Applicants respectfully disagree that isomers of the specified compound are not supported. In an effort to advance the application to issuance claim 27 has been amended to delete the reference to the isomer. Since no specific isomer

of 2,6,10,15,19,23-hexamethyl tetracosane is stated the disclosure is not limited to any particular isomer.

Therefore, the claim as previous submitted is redundant.

Claims 30-31 and 38 are objected to due to informalities.

Claims 30, 31 and 38 are amended thereby rendering the rejection moot.

CLAIM REJECTIONS UNDER 35 USC 112

Claim 54 is rejected under 35 USC 112, first paragraph, as failing to comply with the written description requirement.

Claim 54 is cancelled.

Claims 30, 34, 35, 37, 39, 40, 54 and 57 are rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 30, 34, 35, 37, 39, 40 and 57 are amended thereby rendering the rejection moot. Claim 54 is cancelled.

The rejections under 35 U.S.C. 112, first and second paragraph, are rendered moot by amendment.

CLAIM REJECTIONS UNDER 35 USC 103

Claims 27, 30-35, 37-54 and 56-58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buhler (US 2003/0235666) in view of Plachetta et al. (US 4,877,823) or Stendel et al. (US 4,631,231) or Epstein (US 4,174,358) and Ingersoll (US 3,649,541) or Kato (4,908,726).

Buhler taken in view of Plachetta et al. or Stendel et al. or Epstein et al. is cited as teaching a polyamide with the specific concentration of lubricant. The Office realizes that this combination still fails to recite the specific lubricant of claim 27. Ingersoll and Kato are cited as disclosing the specific lubricants.

Ingersoll is specific to a coating formulation not a molding formulation. The formulation comprises a solid, chromium dioxide, in a polyurethane binder. The function of the lubricant is specifically chosen to not cause aggregates to form as detailed in column 4, lines 5-9.

The present invention is directed to a polyamide molding formulation for achieving optical clarity. Even if one of skill in the art did search for a lubricant they would not consider one that functions primarily to avoid aggregation of particles in a polyurethane binder. Particles are to be avoided in the presently claimed invention since they inherently decrease optical clarity. There is no other

function listed for the lubricants and one of skill in the art would have no motivation to even try the lubricant even in hindsight. It is well established that it is not obvious to try a material which solves a particular problem when that problem does not exist. An optically clear polyamide does not have particles and therefore does not have any issues related to aggregation.

The rejection relying on Ingersoll is based on an improperly hindsight reconstruction wherein the compound relied on solves a problem that does not exist.

Kato is cited as an alternative to Ingersoll, specifically, for teachings related to the specific lubricants. Kato is specific to a composition comprising particles suspended in a binder selected from polyacetal, nylon, polybutylene terephthalate, polyester, polypropylene and polyethylenes. Lubricant is added to achieve adequate lubricity of the shutter. The present invention is specific to a optical element and more specifically a transparent or translucent dyeable polyamide. One of skill in the art would have no basis for considering the lubricity of an optical lense. Therefore, one of skill in the art would have no reason to consider inclusion of a material which specifically functions to improve lubricity.

The Office has combined Ingersoll or Kato with the primary references based solely on hindsight reconstruction. It is well established that one of skill in the art would consider related art when searching for a specific ingredient. The search would not be so broad as to include materials which solve a non-existent problem. An optical lense does not have particles and does not have a lubricity requirement. Therefore, one of skill in the art would not choose a material which solves these non-existent problems even in hindsight.

The rejection of claim 27 is traversed.

Claims 30-35, 37-53 and 56-58 ultimately depend from claim 27 and are therefore patentable for, at least, the same reasons as claim 27.

Claim 54 is cancelled.

The rejection of claims 27, 30-35, 37-54 and 56-58 under 35 U.S.C. 103(a) as being unpatentable over Buhler (US 2003/0235666) in view of Plachetta et al. (US 4,877,823) or Stendel et al. (US 4,631,231) or Epstein (US 4,174,358) and Ingersoll (US 3,649,541) or Kato (4,908,726) is improper and traversed.

Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Buhler, in view of Plachetta et al. or

Stendel et al. or Epstein and Ingersoll or Kato as applied to claims 27, 30-35, 37-54 and 56-58 above, and further in view of Kaganowicz (US 4,328,646) or Reed et al. (US 4,927,704).

Buhler in view of Plachetta et al. or Stendel et al. or Epstein and Ingersoll or Kato is discussed above and all previous comments are relevant herein. As noted by the Office the six references taken together still fail to recite a silicone hard coat. Kaganowicz and Reed et al. are cited as disclosing plastic articles vapor coated with silicon materials.

Neither Kaganowicz nor Reed et al. mitigate the deficiencies of the primary references. Both references are specific to a vapor phase deposition but neither teaches the specific lubricant in the specific binder. Therefore, the primary deficiency remains.

The rejection of claim 36 under 35 U.S.C. 103(a) as being unpatentable over Buhler, in view of Plachetta et al. or Stendel et al. or Epstein and Ingersoll or Kato as applied to claims 27, 30-35, 37-54 and 56-58 above, and further in view of Kaganowicz (US 4,328,646) or Reed et al. (US 4,927,704) is improper and traversed.

Claims 36 and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buhler in view of Plachetta et al. or

Stendel et al. or Epstein and Ingersoll or Kato as applied to claims 27, 30-35, 37-54 and 56-58 above and further in view of Hu et al. (US 5,298,587).

Buhler in view of Plachetta et al. or Stendel et al. or Epstein and Ingersoll or Kato is discussed above and all previous comments are relevant herein. As noted by the Office the six references taken together still fail to recite a silicone hard coat. Hu is cited as disclosing plastic articles vapor coated with silicon materials.

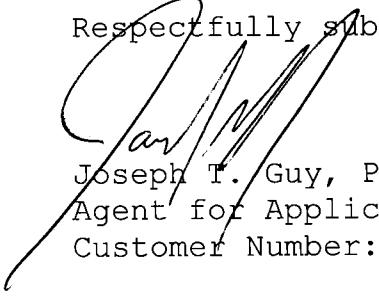
Hu fails to mitigate the deficiencies of the primary references. Hu is specific to a vapor phase deposition but fails to teach the specific lubricant in the specific binder. Therefore, the primary deficiency remains.

The rejection of claims 36 and 55 under 35 U.S.C. 103(a) as being unpatentable over Buhler in view of Plachetta et al. or Stendel et al. or Epstein and Ingersoll or Kato as applied to claims 27, 30-35, 37-54 and 56-58 above and further in view of Hu et al. (US 5,298,587) is improper and traversed.

CONCLUSIONS

Claims 27 and 30-53, 55-58 are currently pending and believed to be in condition for allowance. Reconsideration on the merits is respectfully requested.

Respectfully submitted,


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